

## **Assembly Bill No. 177**

### **CHAPTER 525**

An act to amend Section 1 of Chapter 58 of the Statutes of 1997, relating to charter schools.

[Approved by Governor October 12, 2007. Filed with  
Secretary of State October 12, 2007.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 177, Bass. Charter schools: at-risk pupils: county board of education.

(1) Existing law allows a charter school that serves at-risk pupils and operates under a charter approved before June 1, 1997, by the Los Angeles County Board of Education to operate until June 30, 2008. The existing statute requires the approval of the county board of education for the specified charter school or schools to continue operating after June 30, 2003.

This bill would instead allow the specified charter school or schools to operate until June 30, 2013, subject to the approval of the county board of education for continued operation after June 30, 2008.

(2) The existing statute requires that the specified charter school or schools receive funding for the attendance of pupils for each fiscal year up to and including the 2007–08 fiscal year at the same rates as community schools and community day schools in the same county.

This bill would extend that provision to also cover the attendance of pupils in the 2007–08 to 2012–13 fiscal years, inclusive.

*The people of the State of California do enact as follows:*

SECTION 1. Section 1 of Chapter 58 of the Statutes of 1997, as amended by Chapter 467 of the Statutes of 2002, is amended to read:

Section 1. (a) A charter school operating under a charter approved before June 1, 1997, by the county board of education of a county of the first class to serve at-risk pupils, may operate until June 30, 2013. The continuation of the authority of a charter school to operate pursuant to this subdivision after June 30, 2008, shall be subject to the approval of that county board of education.

(b) Notwithstanding any other provisions of the Education Code, except as set forth in subdivision (c), for the 2007–08 to 2012–13 fiscal years, inclusive, the attendance of pupils in a charter school to which this section applies shall be funded at the same rates for the same categories of pupils as community schools and community day schools in the same county.

(c) A charter school operated pursuant to subdivision (a) may, if its charter so provides, operate one or more community day schools in

compliance with Article 3 (commencing with Section 48660) of Chapter 4 of Part 27 of the Education Code, except for compliance with the employment requirements in subdivision (a) of Section 48663 and subdivision (c) of Section 48664 of the Education Code, and the funded average daily attendance limitations of paragraphs (1) and (2) of subdivision (a) of Section 48664 of the Education Code, and be funded for not more than 2,000 units of average daily attendance in any fiscal year, to the extent that funding is appropriated therefor, pursuant to subdivision (a) of Section 48664 of the Education Code, as if it were a community day school operated by a county. The average daily attendance of a charter school operating pursuant to this section shall not be in addition to the average daily attendance limitation provided pursuant to subdivision (a) of Section 48664 of the Education Code.

(d) A county board of education that has approved a charter school as set forth in subdivision (a) shall establish specific accountability criteria to annually measure the performance of the charter school. The county board of education shall annually report the measurement to the State Department of Education, the Department of Finance, the Assembly Committee on Education, the Assembly Committee on Appropriations, the Senate Committee on Education, and the Senate Committee on Appropriations. The accountability criteria shall comply with the alternative accountability system described by subdivision (h) of Section 52052 of the Education Code.

(e) If a charter school does not comply with the performance criteria described in subdivision (d), the charter school shall submit to the county board of education a plan for improvement that is designed to enable the charter school to comply with the criteria within a time determined by the county board of education.

SEC. 2. Due to the unique circumstances resulting from the intensely urbanized nature of the County of Los Angeles, it is necessary to extend the authorization for charter schools as set forth in Section 1, and the Legislature finds and declares that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution.